

Appl. No. 09/911,621
Amendment dated June 17, 2003
Reply to Office Action of February 25, 2003

REMARKS

In the February 25, 2003 Office Action, all of the claims 1-3, 5, and 7-30 stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the February 25, 2003 Office Action, Applicants have amended claims 1 and 20 as indicated above. Applicants have also added new claims 31 and 32, both of which are independent claims. Thus, claims 1-3, 5 and 7-32 are pending, with claims 1, 20 and 31-32 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Entry of December 3, 2002 Amendment

In paragraph 4 of the Office Action, the Office Action indicates that Applicants' December 3, 2002 Amendment has been entered.

With regard to Applicants' argument that the bags must be separated before they are ejected to the first transfer unit, claims 1 and 20 as amended above require that the first transfer unit receive separated bags. Thus, Applicants believe that claims 1 and 20 as now amended clearly require that the bags must be separated before they are ejected to the first transfer unit.

Rejections - 35 U.S.C. § 103

In paragraphs 1-3 of the Office Action, claims 1-3, 5, 7-10 and 12-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,794,406 to Reichental ("Reichental patent") in view of U.S. Patent No. 4,517,790 to Kreager ("Kreager patent"). Claim 11 stands rejected as being unpatentable further in view of U.S. Patent No. 4,719,741 to Mabry ("Mabry patent"). In response, Applicants have amended independent claims 1 and 20.

More specifically, claims 1 and 20 have been amended to recite that the first transfer unit receives the separated bags that are supplied in a first direction, and transfers the bags in a second direction to the downstream device, and that the first direction and the second direction are not parallel to each other. In other words, in the arrangement of claims 1 and 20, the direction in which the bags are *supplied* to be received by the first transfer unit is not

parallel to the direction in which the first transfer unit *transfers* the bags. That is, the first transfer unit *changes the direction* in which the separated bags are conveyed. Clearly, none of the prior art of record discloses or suggests the arrangement of now-amended claims 1 and 20.

Regarding the Reichental patent, the Office Action asserts that the conveyors 44 and 45 in Figures 3 and 15 correspond to the first transfer unit. Applicants believe, however, that the Reichental patent does not show or suggest the arrangement of now-amended claims 1 and 20. As seen clearly in Figures 3 and 15, the conveyors 44 and 45 receive bags that are supplied vertically downward, and transfer the bags in a vertically downward direction. Although bags are conveyed upward by the conveyor 82 after the bags are dropped from the conveyors 44 and 45, the change of the conveyance direction is caused by the conveyor 82, not by the conveyors 44 and 45. Thus, the conveyors 44 and 45 of the Reichental patent, which the Office Action asserts are the first transfer unit, do not change the conveyance direction of the bags, as required by now amended claims 1 and 20. Therefore, Applicants believe that the Reichental patent does not disclose or suggest the arrangement of claims 1 and 20.

Regarding the Kreager patent, it has been cited in the Office Action to show the inclined belt 56 in Figure 1. Applicants believe, however, the Kreager patent does not cure the deficiency of the Reichental patent discussed above. As clearly seen in Figure 1 of the Kreager patent, the inclined belt 56 receives the bags in the diagonal direction, and transfers the bag to the downstream device in the same diagonal direction. Although the conveyance direction changes at the guide chute 58, such change of direction is caused solely by the guide chute 58, not by the inclined belt 56. Thus, the inclined belt 56 of the Kreager patent does not perform the change of the conveyance direction, which is required by the now-amended claims 1 and 20.

Furthermore, Applicants believe that the guide chute 58 cannot be a first transfer unit. Claims 1 and 20 require that the first transfer unit be driven by the first drive unit. Clearly, the guide chute 58 of the Kreager patent is not driven by any driving unit.

Therefore, Applicants believe that the Kreager patent does not disclose or suggest the arrangement of claims 1 and 20, either singularly or in combination with the Reichental patent.

Regarding the Mabry patent, it has been cited in the Office Action to show the cooling unit. Clearly, the Mabry patent does not disclose or suggest a first transfer unit that changes the conveyance direction of the bags. Therefore, Applicants believe that the Mabry patent does not disclose or suggest the arrangement of claims 1 and 20, either singularly or in any combination.

Regarding dependent claims 2-3, 5, 7-19 and 21-30, they depend from claims 1 and 20, and are therefore narrower. Since the Reichental patent, the Kreager patent, and the Mabry patent does not anticipate or render obvious the arrangements of claims 1 and 20, dependent claims 2-3, 5, 7-19 and 21-30 cannot be disclosed or suggested by the prior art of record.

Therefore, Applicants respectfully request that the rejections to claims 1-3, 5 and 7-30 be withdrawn in view of the above comments and amendments.

Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

Particularly with regard to U.S. Patent No. 4,646,510 to McIntyre ("McIntyre patent"), it shows a conveyance device that changes the conveyance direction. However, in the conveyance device of the McIntyre patent, the conveyance direction is changed *before* the bags are separated, not *after* the bags are separated as required by claims 1 and 20. As discussed above, claims 1 and 20 now clearly require that the bags be separated before they are supplied to the first transfer unit. Therefore, Applicants believe that the McIntyre patent does not anticipate or render obvious the arrangement of claims 1 and 20, either singularly or in any combination.

New Claims 31-32

Applicants have added new independent claims 31-32. Applicants believe that these claims are not anticipated or rendered obvious by the prior art of record.

More specifically, claims 31 and 32 require that a belt receive separated bags that are supplied in a first direction, and transfer the separated bags in a second direction to the downstream device, with the second direction being not parallel to the first direction. As discussed above, this arrangement is clearly not disclosed or suggested by any of the prior art.

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Regarding the Reichental patent, the conveyors 44 and 45 receive bags that are supplied vertically downward, and transfer the bags in a vertically downward direction as shown in Figures 3 and 15. In other words, the change of the conveyance direction is caused by the conveyor 82, not by the conveyors 44 and 45 as required by new claims 31 and 32.

Regarding the Kreager patent, the inclined belt 56 receives the bags in the diagonal direction, and transfers the bag to the downstream device in the same diagonal direction. Although the conveyance direction changes at the guide chute 58, such change of direction is caused solely by the guide chute 58, not by the inclined belt 56. Thus, the inclined belt 56 of the Kreager patent does not perform the change of the conveyance direction, which is required by the new claims 31 and 32.

Regarding the Mabry patent, the Mabry patent does not disclose or suggest a belt that changes the conveyance direction of the bags as discussed above.

In view of the above comments, Applicants believe that claims 31-32 are allowable over the prior art of record.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-3, 5, 7-32 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,



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